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15 **UNITED STATES DISTRICT COURT**

16 **NORTHERN DISTRICT OF CALIFORNIA**

17 **(San Jose Division)**

18
19 Sally Herriot) Case No. C06-06323 JF
20 Plaintiff,) **[PROPOSED] ORDER ON**
21 v.) **STIPULATION TO STAY THIS**
22 Channing House) **COURT'S ORDER OF JANUARY 29,**
23) **2009 AND ISSUE AN INJUNCTION**
24 Defendant.) **PENDING APPEAL**
25)
26)
27)
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[PROPOSED] ORDER

Upon reviewing the Stipulation between Plaintiff SALLY HERRIOT and Defendant CHANNING HOUSE, and good cause appearing, IT IS ORDERED that:

1. The effect of this Court's Order Denying Plaintiff's Motion for Reconsideration and Granting Defendant's Motion for Summary Judgment (January 29, 2009) (Docket No. 92) shall be STAYED pending resolution of Plaintiff Herriot's appeal to the Ninth Circuit;
2. Defendant Channing House shall be ENJOINED from transferring Plaintiff Herriot from her independent living apartment while her appeal is pending in the Ninth Circuit; and
3. As a result of the stipulation between the parties, the April 10, 2009 hearing on Plaintiff's Motion for Stay and Injunction Pending Appeal may be taken off of this Court's calendar.

SO ORDERED.

Dated: 4/9/09

A handwritten signature in blue ink, appearing to read "J. Fogel".